

JO ANN FOSBERG

JULY 1, 1952.—Committed to the Committee of the Whole House and  
ordered to be printed

Mr. WALTER, from the Committee on the Judiciary, submitted the  
following

REPORT

[To accompany S. 2166]

The Committee on the Judiciary, to whom was referred the bill (S. 2166) for the relief of Jo Ann Fosberg, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant a waiver of the racial barrier to admission into the United States in behalf of a minor Korean child in the custody of a United States citizen serviceman and his wife. The child would be considered to be a nonquota immigrant, which is the status normally enjoyed by the alien minor children of citizens of the United States.

GENERAL INFORMATION

The beneficiary of the bill is a 4-year-old Korean child presently in the custody of Sgt. Raymond O. Fosberg, a United States citizen on duty in Japan. Sergeant Fosberg was married to a native and citizen of Japan in December 1950, and his wife is eligible to enter the United States under the provisions of Public Law 6 of the Eighty-second Congress.

Senator Joseph R. McCarthy, the author of the bill, has submitted the following information in connection with the case:

HEADQUARTERS DETACHMENT,  
NARA STATION HOSPITAL,  
EIGHT THOUSAND AND FORTIETH ARMY UNIT,  
APO 40, September 4, 1951

Hon. JOSEPH R. MCCARTHY,  
*United States Senate, Washington, D. C.*

DEAR SENATOR MCCARTHY: I, Sgt. Raymond O. Fosberg, RA-20648976, Headquarters Detachment, Nara Station Hospital, 8040th Army Unit, APO 40, am writing this letter asking you to initiate a law allowing me to bring my child to the United States. I am asking you to do this, so I will be able to legally adopt her. I was advised by the consulate office at Kobe, Japan, and our legal officers at Osaka, Japan, that I will have to be in the United States with the child before I can start adoption proceedings. In order to bring her to the United States there will have to be a special law passed to allow me to bring her home with me.

The child concerned is one (Miss Jo Ann Fosberg) presently going by my surname. She is approximately 4 years of age and is of mostly American descent. There is slight trace of Oriental race. I am a legal resident of Wisconsin but, being married to a Japanese national and in my intention of making the Army my career, I am not sure as to what State I will be assigned in upon my return to the United States.

I have served with the Occupation Forces in Japan since April 12, 1949. I married a Japanese national on December 8, 1950, under the provisions of regulations and directives governing the marriage of military and civilian personnel, after a courtship of approximately 20 months.

The child I wish permission to adopt is either an illegitimate child or an abandoned child. She was picked up in Korea in the Seoul area by an American Department of the Army civilian worker and his Korean bride. This was during the evacuation of Department of Army civilians and dependents from Korea to Japan at the start of the Korean conflict. Due to the fact that the DAC civilian and his bride were not legally married, they could not attempt to adopt the child. This DAC is no longer working for the Department of the Army. I, being legally married, took this child with his permission into my home, which is a Government public quarters. I have now had this child for about 3 months. Since then I have more than sufficiently clothed and given her a respectable and comfortable home.

I have checked with officers familiar with legal affairs and also with the American consulate office in Kobe, Japan. From this, there seemed to be no way whatsoever to ever locate her legal parents if any. Since the outbreak of the Korean conflict her parents may have been killed or if she was illegitimate she may have been left to die. I believe also that she has no parents, as all she knows is that she was left, and she loves my wife and I. She is very happy to have a mother and father. She speaks a lot of English as well as Japanese. Also she speaks very little Korean. She is a great help to my wife, who is also learning to speak English for our future return to the United States. On behalf of my wife and I, we both appeal to you for permission for return of this child and future adoption of this child concerned.

I believe this adoption and permission, if granted under the existing public laws of the United States Government and of the State of Wisconsin, it would be in the rights of humanity and to the best interest of all concerned. This child will easily adapt herself to the United States socially and educationally, as she knows more of the way of life of Americans than of the Japanese.

I am enclosing papers showing that I am capable of supporting this child if permission to adopt her is granted. Also enclosed is a photograph of the child concerned. I am anticipating return to the United States in about 6 to 9 months, so, I would appreciate favorable consideration on this matter. Again, I appeal to you and will sincerely hope and pray to God that I may be able to take this child back so I can legally adopt her and to continue to give her the home and the way of life that I believe she rightfully deserves.

Sincerely yours,

RAYMOND O. FOSBERG,  
*Sergeant (RA-20648976).*

## CERTIFICATE

NARA STATION HOSPITAL,  
EIGHT THOUSAND AND FORTIETH ARMY UNIT,  
APO 40, August 8, 1951.

This is to certify that Joann Fosberg is a normal healthy child, showing no evidence of communicable or infectious disease, and appears to be mentally sound.

THOMAS J. HOWARD,  
Captain, Medical Corps,  
Chief of Medical Service.

NARA STATION HOSPITAL,  
EIGHT THOUSAND AND FORTIETH ARMY UNIT,  
APO 40, August 28, 1951.

Subject: Certificate of earnings.  
*To Whom It May Concern:*

1. Information as taken from the service records shows Raymond O. Fosberg, RA-20648976, is serving as a sergeant in the Regular Army of the United States, with an annual salary of \$2,205 plus \$192 for foreign service and \$810 subsistence allowance.

2. His records show no trials by courts martial or any forfeitures or fines.

MARVIN R. PERRY,  
First Lieutenant Infantry,  
Assistant Personnel Officer.

HEADQUARTERS DETACHMENT,  
NARA STATION HOSPITAL,  
EIGHT THOUSAND AND FORTIETH ARMY UNIT,  
APO 40, August 30, 1951.

Hon. JOSEPH R. MCCARTHY,  
*United States Senate, Washington, D. C.*

DEAR SENATOR MCCARTHY: Sgt. Raymond O. Fosberg, RA20648976, a member of this unit, is attempting to adopt a female child of undetermined parentage. I have known Sergeant Fosberg since December 12, 1950. He has worked under my close supervision since that date. I also know Mrs. Fosberg and the child (Jo Ann) in question.

The child is intelligent looking, rather pretty, and very well behaved. She gives the impression of being a happy child. She loves Sergeant Fosberg, whom she calls "Daddy". She is equally affectionate of Mrs. Fosberg, whom she calls "Mommy". The child is well dressed and is kept in a neat and clean appearance.

I am confident that Sergeant and Mrs. Fosberg are able and most willing to maintain a happy and comfortable home for themselves and this child. I wholeheartedly and unqualifiedly recommend that this adoption be favorably considered. This decision is based on my knowledge of the character of both Sergeant and Mrs. Fosberg.

Sincerely yours,

R. W. SACKETT,  
Major, MSC,  
Detachment Commander.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 2166) should be enacted.

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MEMORANDUM

TO: THE SECRETARY OF THE ARMY  
 FROM: THE CHIEF OF THE BUREAU OF MILITARY AFFAIRS  
 SUBJECT: [Illegible]

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The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 1000) should be rejected.

